## <u>REMARKS</u>

The Board of Patent Appeals and Interferences affirmed the rejection against independent claim 1, but reversed all rejections against claims 2 and 3 dependent thereon. Accordingly, claims 2 and 3 have been cancelled and rewritten in independent form as newly submitted claims 8 and 9, respectively. The Examiner is therefore requested to officially allow claims 8 and 9.

No fees or extensions of time are believed to be due in connection with this Amendment; however, please consider this a request for any extension inadvertently omitted and charge any additional fees to Deposit Account No. 502093.

Respectfully submitted,

DENNIS L. THOMTE Registration No. 22,497

THOMTE, MAZOUR & NIEBERGALL

Oleanis & Stem &

Attorneys of Record

15

10

1

5

2120 S. 72nd Street, Suite 1111 Omaha, NE 68124 (402) 392-2280

20

25



**CERTIFICATE OF MAILING** 

I hereby certify that the original of this AMENDMENT AFTER BOARD DECISION for DALE A. CHRISTENSEN, ET AL., Serial No. 10/786,664, was mailed by first class mail, postage prepaid, to Mail Stop Amendment, Commissioner for Patents, Alexandria, VA 22313, on this 19 day of October, 2006.

Mennis & Stom DENNIS L. THOMTE